

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
ROOM 405, STATE CAPITOL BUILDING
February 9, 2004**

Members Present: Sen. D. Chris Buttars, Co-Chair
Rep. David L. Hogue, Co-Chair
Sen. Patrice Arent
Rep. Ron Bigelow
Rep. Scott Daniels
Rep. James A. Dunnigan
Rep. Eric K. Hutchings
Rep. Brad King
Rep. Bradley G. Last
Rep. Dana C. Love

Members Absent: Sen. Michael Waddoups

Staff Present: Jonathan Ball, Fiscal Analyst
Gary Ricks, Fiscal Analyst
Greta Rodebush, Committee Secretary

Visitors List: List filed with committee minutes

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

NOTE: All those who testified before the subcommittee did so under the oath administered by Fiscal Analyst, Gary Ricks.

Co-Chair Buttars called the meeting to order at 2:15 p.m.

Gary Doxey, Chief of Staff, Governor's Office, reported on expenditures of funds for the R.S. 2477 Rights-of-Way. In addition, Lt. Governor McKeachnie, was present to respond to subcommittee questions. A handout was distributed.

A handout was distributed that outlined R.S. 2477 Activities Funded for 2003. The R.S. 2477 Roads budget in 2003 was \$1,857,300. These funds came from Restricted Revenue and Beginning Balance monies. The two largest expenditures were for Current Expense, \$911,100, and Personnel Services, \$432,000. In addition, \$120,000 was appropriated to the Attorney General's Office for salary and benefits for an assistant attorney general assigned to non R.S. 2477 public lands issues.

Mr. Doxey explained that funding for R.S. 2477 originates with Mineral Lease revenue in which up to \$2 million is deposited into the General Fund Restricted - Constitutional Defense account. From this account, monies are allocated to the Governor's Office, \$1,880,000 of which

is appropriated to R.S. 2477 Rights of Way within the Governor's Office Administration budget line item, and through intent language, \$120,000 is appropriated to the Attorney General's Office to be used for non R.S. 2477 public land issues.

Attorney General Mark Shurtleff indicated that he would respond to the R.S. 2477 issue at the next meeting.

Co-Chair Hogue requested a breakdown of R.S. 2477 expenditures for Current Expenses and Personnel Services.

Mr. Doxey offered to provide the subcommittee with a broader overview of the R.S. 2477 project at the next meeting.

Department of Public Safety- Agency Response

Robert Flowers, Commissioner, Department of Public Safety, responded to the Analyst's recommendations and outline budget requests for FY 2005. He was assisted by Rick Wyss, Special Counsel, Department of Public Safety.

Commissioner Flowers introduced Dan Fallows, Strategic Project Planner, Department of Public Safety. He spoke on a new partnership with the Department of Public Safety, Department of Corrections, and Salt Lake Community College that will provide education, development, and training programs to all three entities in one training facility at the Salt Lake Community College Jordan Campus. He indicated that Mr. Larry Miller is seriously looking to fund the building of this facility. Operation and maintenance costs would be an on-going expense that the Legislature would need to approve and fund. There is the possibility that funds earmarked for existing training programs and facilities within the DPS and the UDC could be applied to this newly created expenditure.

Commissioner Flowers made the following budget requests for FY 2005:

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|-----|-----------|----------------|----------------------------|
| (1) | \$107,900 | On-going | Two Criminalists |
| (2) | \$412,800 | On-going | Unfunded Building Leases |
| | \$347,400 | FY 2004 Suppl. | |
| (3) | \$500,000 | On-going | UHP/MIS Technology |
| | \$500,000 | FY 2004 Suppl | |
| (4) | \$138,900 | General Fund | Wiring Harness in Cruisers |
| (5) | \$103,000 | General Fund | Equipment on Cruisers |

Commissioner Flowers asked if intent language was needed to use restricted funds for POST and Drivers License for transferred responsibilities. Analyst Ricks would look into this.

A handout on MATRIX was distributed. Matrix uses Factual Data Analysis through a system know as the FACTUAL ANALYSIS CRIMINAL THREAT SOLUTIONS - "FACT". It is designed to improve the usefulness of existing law enforcement data systems and facilitate electronic information exchange among participating agencies via secure state Web sites.

Commissioner Flowers spoke to trooper salary disparities. A handout with a breakdown of salary and benefits for DPS Sworn Officers was distributed. Reference was made to the recent Department of Human Resources Management (DHRM) salary study of state government. Commissioner Flowers indicated that UHP sworn officer salaries are about 20% below other local law enforcement agencies. This would require about \$3 million in salary increases in order to bring trooper salaries in line with other law enforcement agencies.

MOTION: Rep. Hutchings moved that the subcommittee request a copy of the DHRM salary survey for state government. The motion passed unanimously.

Co-Chair Buttars introduced Kent Demkey. He spoke to the subcommittee regarding the lack of formal training for security officers. He requested \$100,000 initially for program start up; thereafter, the program would be self funding through course fees. There are 4,500 security officers that could take advantage of a two day course. They are required to re-license every two years. Co-Chair Buttars recommended that this proposal be placed on the Master Study Resolution for interim study.

Co-Chair Buttars moved to saunter for five minutes at 3:50 p.m.

Upon reconvening, Co-Chair Buttars called for motions on the Department of Public Safety's budget.

MOTION: Rep. Hogue moved to tentatively approve the Analyst's recommendation for the Department of Public Safety with a total base budget of \$107,754,800. The motion passed unanimously with Sen. Arent, Rep. Daniels, Rep. Dunnigan, and Rep. King absent for the vote.

MOTION: Rep. Love moved to place on the priorities list: \$107,000 Two Criminalists; \$138,900 Cruiser Wiring Harness; \$103,000 Cruiser Equipment; \$412,800 for Building Leases on-going; \$347,400 for Building Leases - FY 2004 Supplemental, and \$500,000 on-going UHP/MIS Technology; and \$500,000 UHP/MIS Technology- FY 2004 Supplemental. The motion passed unanimously with Rep. Daniels, Rep. Dunnigan, and Rep. King absent for the vote.

MOTION: Rep. Dunnigan moved to place on the priorities list \$1.5 million to fund a salary increase in the step lane advancement for the Utah Highway Patrol, Department of Public Safety and request a salary disparity study in the interim.

SUBSTITUTE

MOTION: Rep. Daniels moved to place on the priorities list \$3.0 million to fund a salary increase in the step lane advancement for the Utah Highway Patrol, Department of Public Safety and request a salary disparity study in the interim. The motion passed unanimously with Rep. King absent for the vote.

Analyst Ball reported on the Capital Facilities and Administrative Services Joint Appropriations Subcommittee meeting on February 9, 2004. The Department of Corrections presented their preferred alternative to purchase the Oxbow Facility for \$7 million to meet the female prison inmate growth. The Deputy Mayor of Salt Lake County had presented to Capital Facilities two alternatives for the sale of the Oxbow Facility: namely, \$8.5 million up front, or \$10 million with a \$3 million down payment and the balance financed over 10 years.

Sen. Arent requested that the Department of Corrections speak to the issue of the Administrative Law Judge.

The subcommittee requested a presentation on the Medical Services Study, Department, of Corrections, and statistics on county jail facilities with a breakdown on the number of beds in each facility and the percentage use by federal, state, and county.

Co-Chair Hogue asked the subcommittee to review fees for Wednesday's, February 12, 2004 meeting.

MOTION: Rep. King moved to adjourn. The motion passed unanimously with Rep. Dunnigan absent for the vote.

Co-Chair Buttars adjourned the meeting at 5:00 p.m.

Sen. D. Chris Buttars, Co-Chair

Rep. David L. Hogue, Co-Chair